



#7  
9-25-83  
NP

**UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: GOMBERT=4

In re Application of:	)	Art Unit: 2674
	)	
GOMBERT et al	)	Examiner: EISEN, A
	)	
Appln. No.: 09/883,361	)	Washington, D.C.
	)	
Filed: June 19, 2001	)	Confirmation No. 9658
	)	
For: INPUT DEVICE FOR	)	September 9, 2003
COMMANDING CONTROL...	)	

**REQUEST FOR SUBSTITUTE OFFICE ACTION**

**RECEIVED**

SEP 10 2003

Technology Center 2600

Honorable Commissioner for Patents  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

We are in receipt of an Office Action that issued on August 18, 2003. In section 10 of that action, certain claims are rejected on the basis of a U.S. patent reference that the Examiner asserts to have been provided with applicant's IDS.

We have carefully reviewed the file of this application, which shows that we filed a single IDS on August 27, 2001, in which that reference was not cited.

Since applicant is entitled to be provided with a copy of all references relied upon in an Office Action, it is asked that a new Office Action be issued, accompanied by a

Appln. No. 09/883,361

September 9, 2003

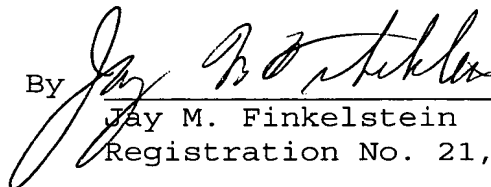
Reply to Office Action of August 18, 2003

copy of that reference, and that a new three month period for response be set.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By



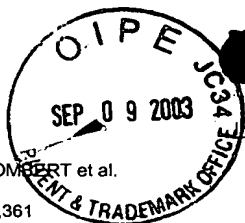
Jay M. Finkelstein  
Registration No. 21,082

JMF:mch

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: GOMBERT et al.

Application No.: 09/883,361

Filed: June 19, 2001

For: INPUT DEVICE FOR COMMANDING CONTROL...

Art Unit: 2674

Examiner: EISEN, A

Washington, D.C.

Atty.'s Docket: GOMBERT=4

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Technology Center 2600

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Request for Substitute Office Action

in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 40	\$
+ 135	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 80	\$
+ 270	\$
TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- ☐ First - \$ 55.00
- ☐ Second - \$ 195.00
- ☐ Third - \$ 445.00
- ☐ Fourth - \$ 695.00

## Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- ☐ First - \$ 110.00
- ☐ Second - \$ 390.00
- ☐ Third - \$ 890.00
- ☐ Fourth - \$ 1390.00

## Month After Time Period Set

☐ Less fees (\$ ) already paid for month(s) extension of time on .☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ .☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ .☐ A check in the amount of \$ is attached (check no. ).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

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